

REPORT OF THE BOARD OF STEWARDS
STATE OF CALIFORNIA
ARNOLD SCHWARZENEGGER, GOVERNOR

To the California Horse Racing Board

Honorable Richard B. Shapiro, Chairman
Honorable John C. Harris, Vice Chairman
Honorable John Andreini, Member
Honorable Jesse H. Choper, Member
Honorable Bo Derek, Member
David Israel, Member
Honorable Jerry Moss, Member
Kirk Breed, Executive Director
Richard Bon Smith, Assistant Executive director

BOARD OF STEWARDS
Dennis Nevin- John Herbuveaux- Darrel McHargue

Report for the period Wednesday, August 13- Sunday, August 17, 2008

8/13/2008 WEDNESDAY

(1) CAL-BRED REPORTS

There were no races offered strictly for California Breds for today's racing program.

(2) DECLARATIONS – REFUNDS

1 st race #2 BREAKING RANKS Stewards- Insufficient works	(William Delia, Tr.) Refunds \$ 93.00
3 rd race # 3 SARARAH JR vet- injury Diane Isbell D.V.M.	(Angelo Tekos Jr. Tr.) Refunds \$ 737.00
5 th race #4 ANEARLYFIL vet- sick Diane Isbell D.V.M.	(Rafael A Martinez, Tr.) Refunds \$ 990.70
6 th race #9 MAGGIES PATCHES	(Clifford Delima, Tr.)

vet-sick Diane Isbell D.V.M.

Refunds \$ 706.40

7th race # 9 BUCK TUDDY BUCK
vet- sick Diane Isbell D.V.M.

(John Martin, Tr.)
Refunds \$ 686.20

#10 EVERWISE
vet- sick Diane Isbell D.V.M.

(C.J.Jenda, Tr.)
Refunds \$559.00

(3) CALVARIO RULINGS #4 & # 5

Ruling #4

Trainer Manuel Calvario having now paid the fine imposed in Bay Meadows Racing Association ruling #57, dated April 23, 2008 is restored to good standing and San Mateo County Fair ruling #1 suspending Manuel Calvario for violation of California Horse Racing Board rule #1532 (Payment of Fines) is hereby set aside.

Ruling #5

Trainer Manuel Calvario is fined the sum of three hundred dollars (\$300.00)* pursuant to California Horse Racing Board rule # 1629 (Penalty for Late Declaration) for failure to have a valid worker's compensation insurance policy in effect necessitating a late declaration for the horse KILLER BEE from the third race on Thursday, August 7, 2008, which constitutes a violation of California Horse Racing Board rule #1501 (Worker's Compensation Policy Required).

The rulings listed above were issued after Mr. Calvario provided proof of payment of the fine imposed in ruling # 57 at Bay Meadows on April 23, 2008 and proof of a valid worker's compensation policy.

(4) APPRENTICE JOCKEY PABLO FLORES

Ruling # 6

Apprentice Jockey Pablo Flores, who rode BUCKS HIDDEN ASSET in the seventh race at the San Mateo County Fair (Bay Meadows) on Sunday, August 10, 2008, is suspended three (3) racing days (August 20, 21 and 22, 2008) for altering course without sufficient clearance and causing interference; a violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules - Careless Riding).

The ruling above was issued after Mr. Flores met with the Stewards, reviewed the race and acknowledged guilt.

(5) RACE DELAY – INQUIRY

The start of the sixth race was delayed approximately eight minutes to enable the valets to resaddle #2 FIRST PRESS and #3 SULTRY GOTHAM GIRL after it was noticed by the riders of the horses that the wrong saddles were on their mounts. The valet responsible for the mix-up was invited in to visit the Stewards.

The inquiry sign was posted following the running of the race for a review of an incident near the 3/8 pole involving #3 SULTRY GOTHAM GIRL ridden by Jockey Abraham Arreola. After reviewing the various recorded angles the order of finish as posted was made official.

The tapes show jockey Arreola check his mount sharply while racing along the rail inside #5 WONG LEE, after his mount was rank to place and ran into an opening that was rapidly diminishing. In the Stewards unanimous opinion #3 caused its own problems therefore no change in placing was warranted.

(6) ATTENDANCE- HANDLE

On Track Attendance	2,322
N-Cal Attendance	4,450
On Track Handle	\$348,626.60
N-Cal Handle	\$1,069,651.00
S Cal on N Cal	\$426,515.80
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Total Handle	\$2,393,749.44

8/14/2008 THURSDAY

(1) CAL-BRED REPORT

There were no races offered restricted for California Breds for today's racing program.

(2) DECLARATIONS- REFUNDS

2 nd race # 1 LUCKY WISE GUY	(William Morey, Tr.)
vet- lame Jessica Christiansen D.V.M.	Refunds \$ 17,734.53
6 th race # 4 ROYAL BOOM	(Alberto Arreola, Tr.)
vet- sick Diane Isbell D.V.M.	Refunds \$ 57.00
#6 STRONG MIND	(Dennis Hopkins, Tr.)
vet- sick, Diane Isbell D.V.M.	Refunds \$ 500.20
8 th race #7 ANNUAL STATEMENT	(Gloria Haley, Tr.)
vet- injury, Diane Isbell D.V.M.	Refunds \$ 358.40

(3) SAHADI & HOLLENDORFER FINANCIAL HEARING

A recorded hearing was held today to address a training debt of \$5,631.00 allegedly owed to trainer Jerry Hollendorfer by owner Stephen Sahadi. The amount was subsequently reduced to \$4,485.12 by the complainant. Present for the hearing were Stewards Dennis Nevin, John Herbuveaux, and Darrel McHargue, Janet Hollendorfer and California Horse Racing Board Investigator Gabriel Palomar. Mr Sahadi presented testimony via the phone.

Mr. Sahadi did not dispute owing the debt however he questioned the sale of the horse, the failure to transfer monies, the date of the transfer and to whom and where the ownership transfer took place.

Following the hearing and deliberation the record was re-opened and Mr. Sahadi was informed it was the opinion of the Stewards the debt is owed and is to be paid on or before September 5, 2008. Regarding his concerns: Mrs. Hollendorfer was instructed to provide the documents Mr. Sahadi requested and the matter would be turned over to the investigators.

(4) ACCIDENT – INQUIRY

Following the running of the sixth race the inquiry sign was posted for a review of an accident involving #2 WAX FIGURE near the 5 ½ pole. After reviewing the recorded views, the numbers posted were made official. The tapes show #2 veer left as the horses leave the ¾ chute and unseat Jockey Catalino Martinez. Neither horse nor rider sustained serious injury.

(4) ATTENDANCE- HANDLE

On Track Attendance	2,133
N-Cal Attendance	4,325
On Track Handle	\$384,413.90
N-Cal Handle	\$1,134,593.90
S Cal on N Cal	<u>\$464,642.30</u>
Total Handle	\$2,439,033.63

8/15/2008 FRIDAY

(1) CAL- BRED REPORT

There were no races offered for California Breds for todays racing program.

(2) DECLARATIONS- REFUNDS

1 st race #5 ALUMNI YEAR vet- injury Diane Isbell D.V.M.	(Clifford Delima, Tr.) Refunds \$ 108.00
4 th race # 10 SILK CREEK vet- lame Jessica Christiansen D.V.M.	(Justin Treasure, Tr.) Refunds \$ 3,776.62
#11 COMIC REVIEW vet- sick Diane Isbell D.V.M.	(Greg James, Tr.) Refunds \$ 1,073.00
5 th race # 7 GENERAL ZEE vet- sick Diane Isbell D.V.M.	(Lloyd Mason, Tr.) Refunds \$ 85.00
6 th race #1 RUTHLESS MAMA vet- unsound, Jessica Christiansen D.V.M.	(Ronnie Wallace, Tr.) Refunds \$ 8,641.40

(3) CRUZ RULING (ref:8/13/08 (5))

Ruling #7

Valet Jose Cruz is fined the sum of one hundred dollars (\$100.00)* pursuant to California Horse Racing Board rule # 1530 (Cases Not Covered by Rules and Regulations) for failure to perform his duties in a proper manner for the sixth race on Wednesday, August 13, 2008.

The preceding ruling was issued after Mr. Cruz met with the Stewards regarding the saddle mix-up which caused a delay in the start of the sixth race on Wednesday.

(4) LUCARELLI RULING

Ruling #8

Trainer Frank Lucarelli, who started the horse STANFORD DOLLY, winner of the fifth race at the Solano County Fair (Vallejo) on July 12, 2008, is fined the sum of one thousand dollars (\$1,000.00)* pursuant to California Horse Racing Board rule # 1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule # 1843 (a) & (d) (Medication, Drugs and Other Substances: Phenylbutazone – in excess of permitted level; 6.86 mcg/ml- second offense).

The ruling listed above was issued after Mr. Lucarelli responded by phone and accepted full responsibility for the overage.

(5) INQUIRY – OBJECTION – DISQUALIFICATION

Following the running of the fourth race the inquiry sign was lit for a review of an observed interference in the stretch involving #2 CROSSCUT (4th place – Jockey Juan Ochoa) and #6 WILBURS MR. ED (5th place- Jockey Kyle Kaenel). Mr. Kaenel also lodged an objection against #2 for interference.

After talking to the jockeys involved, the patrol judge and reviewing the recorded views of the race, #2 was disqualified from 4th to 5th.

The tapes show #2 cross over into the path of #6 as that rival was attempting to go through a clear opening along the rail. The rider of #6 was forced to check sharply causing his mount to lose stride, momentum, and a chance of a better placing.

(6) ACCIDENT – INQUIRY

The inquiry sign was posted following the running of the sixth race for a review of an accident near the wire involving #8 CHRISTIE’S FAME ridden by Jockey Pablo Flores. After reviewing the race, the numbers posted were declared official.

The tapes show #8 sustains a severe injury to its right foreleg and fall. Although the fallen horse and rider affected a number of the horses the accident happened so near the finish their placings were not affected. After examination by track veterinarian Jessica Christiansen CHRISTIE’S FAME was euthanized at the scene. Jockey Pablo Flores escaped with minor injuries.

(7) ATTENDANCE – HANDLE

On Track Attendance	1,422
N-Cal Attendance	3,898
On Track Handle	\$298,118.90
N-Cal Handle	\$1,026,336.50
<u>S Cal on N Cal</u>	<u>\$272,147.00</u>
Total Handle	\$1,841,054.40

8/16/2008 SATURDAY

(1) CAL-BRED REPORT

Purse \$10,000 for Cal-Bred maidens, three years old and upward, claiming \$2,500 at six furlongs. The race failed to fill and was called off.

(2) ALVARADO RULING

Ruling # 9

Jockey Frank Alvarado is fined the sum of seven hundred fifty dollars (\$750.00)* for disrespectful behavior towards the Track Veterinarian on Thursday, August 14, 2008 which constitutes a violation of California Horse Racing Board rule # 1874 (Disorderly Conduct).

The ruling listed above was issued after Mr. Alvarado requested to address the matter informally. He acknowledged losing his temper and voicing his displeasure to Dr. Christiansen after she examined his mount prior to the 2nd race and declared this horse due to unsoundness.

(3) OCHOA RULING

Ruling #10

Jockey Juan Ochoa who rode CROSSCUT in the fourth race at the San Mateo County Fair on Friday, August 15, 2008 is suspended three (3) racing days (August 23, 24 and 27, 2008) for failure to make a proper effort to maintain a straight course in the stretch and causing interference resulting in the disqualification of his mount from fourth to fifth. A violation of California Horse Racing Board rule #1699 (d) & (f) (Riding Rules – Careless Riding)

The aforementioned ruling was issued after Mr. Ochoa reviewed the fourth race with the Stewards and candidly admitted his guilt.

(4) VARTANIAN RULING

Ruling #11

Owner/ Trainer Gregory Vartanian, having failed to abide by the terms of a financial agreement with Ramon Mungia, is hereby suspended in accordance with California Horse

The preceding ruling was issued after this board received written notification from Mr. Mungia that Mr. Vartanian failed to abide by a signed agreement for wages owed. Originally Mr. Vartanian failed to appear for the hearing to address the debt and was suspended on May 22, 2008. On May 23, 2008 his license was restored after he waived hearing and entered into a pay agreement to resolve the debt.

(5) DECLARATIONS – REFUNDS

3 rd race # 2 WILD YANKEE	(John Martin, Tr.)
vet- sick Diane Isbell D.V.M.	Refunds \$ 260.00
8 th race #1 SUMMER SCUFFLE	(A. L. Diaz, Tr.)
vet- sick, Diane Isbell D.V.M.	Refunds \$ 444.00
10 th race # 4 SKY WOLF	(Aggie Ordonez, Tr.)
vet- injury, Diane Isbell D.V.M.	Refunds \$ 444.00

(6) RACING PROGRAM

The afternoon racing progressed smoothly without incident.

(7) ATTENDANCE - HANDLE

On Track	4,873
N-Cal Attendance	8,555
On Track Handle	\$914,606.20
N-Cal Handle	\$2,288,403.20
<u>S Cal on N Cal</u>	<u>\$2,996,358.95</u>
Total Handle	\$3,573,413.75

8/17/2008 SUNDAY

(1) CAL-BRED REPORT

There were no Cal-Bred restricted races offered for today's racing program.

(2) BAY MEADOWS CLOSES

Today marks the final day of racing at Bay Meadows after nearly 74 years of racing. A sense of sadness runs through the grandstand and in this Board's opinion the closing of Bay Meadows not only ends an era of historic racing it also leaves a huge void in Northern California racing. Although other race tracks may step in to fill the dates replacing a track like Bay Meadows may not be possible. This is truly a sad day for Northern California racing.

(3) LARSON COMPLAINT-DISMISSED

California Horse Racing Board complaint 08GG100 issued against trainer Mike Larson for alleged violation of California Horse Racing Board rule # 1865 (Altering of Sex of Horse) was dismissed without prejudice. Mr. Larson was cited in the complaint for failing to

report the gelding of a horse on the track within 72 hours of gelding. The facts of the case failed to prove Mr. Larson violated the portion of the rule cited.

(4) DECLARATION – REFUNDS

1 st race #7 ASK BONO vet- sick, Diane Isbell D.V.M.	(Hector Hernandez, Tr.) Refunds \$ 75.70
3 rd race # 7 CASINO KING vet- sick Diane Isbell D.V.M.	(Jerry Puertas, Tr.) Refunds \$ 190.00
4 th race # 7 OCEAN GRAND vet- unsound, Jessica Christiansen D.V.M.	(Jerry Hollendorfer, Tr.) Refunds \$ 59,164.78
7 th race # 5 EXPRESS CASH Stewards- re entry	(Michael Lenzini, Tr.) Refunds \$ 299.00
7 th race # 13 BEAN WHO vet- sick Diane Isbell D.V.M.	(Robert Bean, Tr.) Refunds \$ 305.80
9 th race # 10 WARREN’S SECRET Stewards – re entry	(Dennis Ward, Tr.) Refunds \$ 121.00

(5) INQUIRY – DISQUALIFICATION- FIRST RACE

Following the running of the first race the inquiry sign was posted for review of several incidents.

The first incident was out of the gate. #3 PERFECT EVENING (1st place – Jockey Sergio Ruiz) breaks inward bumping #2 SLOW MODUS (3rd place – Barrington Harvey) into #1 REMARKABLE EYESA (4th place – Gregorio Arriaga). In the Stewards unanimous opinion the incident was insufficient to affect placings.

The second incident near the 1/8 pole involved #4 GENUINE BOLTICELL, (6th place – Jesus Arriaga), #5 JUST SNOW (7th place – Adan Landeros) and #6 CHICK IS BLACK (5th place – Jesus Arriaga). The tapes show minor contact between the horses that was insufficient to effect placing.

And the last incident also near the 1/8 pole involved the winner #3 PERFECT EVENING and #1 REMARKABLE EYESA. The tapes show #3 cross over and take the path of #1, forcing the rider of #1 to check sharply to avoid heels, causing that rival to lose position, momentum and a chance of a better placing. #3 was disqualified from 1st and placed fourth for the infraction.

(6) RUIZ RULING

Ruling # 12

Jockey Sergio Ruiz who rode PERFECT EVENING, in the first race on August 17, 2008 at the San Mateo County Fair (Bay Meadows) is hereby suspended three (3) racing days (August 24th, 27th and 28th) for crossing over without sufficient clearance, causing interference in the stretch resulting in the disqualification from first to fourth. A violation of California Horse Racing Board rule #1699 (Riding Rules- Careless Riding).

The ruling listed above was issued after Mr. Ruiz came up to the Stewards stand to review the race with the Stewards. After viewing the race he stated, he thought he was clear of the horse on his inside but now sees that was not the case.

(7) INQUIRY – 8TH RACE – NO CHANGE

Following the running of the eighth race the inquiry sign was posted for a review of the stretch run of #8 MOM'S BALLET (7th place – Jockey Pablo Flores).

After reviewing the recorded views no change in placing was made and the race was declared official.

The tapes show #8 lack racing room near the 1/8 pole and run up on the heels of #9. In the unanimous opinion of the Stewards #8 caused its own problems therefore there was no change in placings.

ATTENDANCE- HANDLE

On Track Attendance	10,026
N-Cal Attendance	13,264
On Track Handle	\$1,158,942.50
N-Cal Handle	\$2,365,534.50
S Cal on N Cal	<u>\$911,760.00</u>
Total Handle	\$4,373,962.25

13-Aug	14-Aug	15-Aug	16-Aug	17-Aug	WEEK TOTAL	MEET TOTAL
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ACCIDENTS	0	1	1	0	0	2	2
CAL-BRED RACES	0	0	0	0	0	0	0
CLAIMS	0	0	0	0	0	0	10
DISQUALIFICATIONS	0	0	1	0	1	2	2
INQUIRIES / OBJECTIONS	1	1	2	0	2	6	8
REFUNDS	6	4	5	3	6	24	54
RULINGS	3	0	2	3	1	9	12

John Herbuveaux

Darrel McHargue

Dennis Nevin